

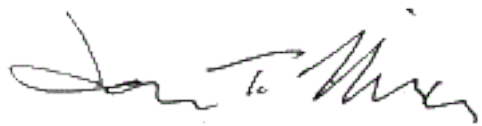
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A Court may dismiss an action under Federal Rule of Civil Procedure 41(b) when a plaintiff fails to prosecute, comply with the Federal Rules, or comply with a court order. A court should consider (1) whether the party's failure is due to wilfulness, bad faith, or fault; (2) whether the adversary was prejudiced by the dismissed party's conduct; (3) whether the dismissed party was warned that failure to cooperate could lead to dismissal; and (4) whether less drastic sanctions were imposed or considered before dismissal was ordered. *Mulbah v. Detroit Bd. of Educ.*, 261 F.3d 586, 589 (6th Cir. 2001).

Plaintiff has apparently abandoned his claims, to the detriment of his former attorney, the Defendants, and this Court, who have all expended resources on this litigation over several months. The Court has attempted to warn Plaintiff that his conduct would result in dismissal of his case, although Plaintiff did not receive the warning due to his failure to update his contact information with the Court. Having considered the relevant factors, the Court finds it appropriate to dismiss this action pursuant to Rule 41(b) for Plaintiff's failure to cooperate with his attorney or otherwise prosecute his case and failure to comply with the Court's November 8 Order. Under Rule 41(b), such a dismissal operates as an adjudication on the merits. Accordingly, this action is **DISMISSED with prejudice**.

It is so ORDERED.

Entered this the 9th day of December, 2011.

A handwritten signature in black ink, appearing to read "John T. Nixon", is written over a horizontal line.

JOHN T. NIXON, SENIOR JUDGE
UNITED STATES DISTRICT COURT